



BURKHART & BURKHART

Anne K. Burkhart
Patrick N. Burkhart
P.O. Box 1823
Whitefish, Montana 59937
Tel. (406) 862-1187

03/10/01

**IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE**

APPLICANT : OTTO ET AL.

SERIAL NO. : 09/287,968

CLASS: NOT YET ASSIGNED

DATE FILED : 4/15/99

INVENTION : "WALKING BEAM ROLLER APPARATUS"

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

RESPONSE TO DECISION ON PETITION

In response to the Decision on Petition mailed 2 MARCH 2001, Applicants transmit the following herewith:

1. Copies of the response submitted in June 1999, including copies of the declaration, as filed, the declaration claiming small entity status as filed, the stamped return postcard from the USPTO, and a copy of the NOTICE TO FILE MISSING PART OF APPLICATION.

As stated in the response, no additional fee is due.

Respectfully submitted,

Patrick Burkhart
Reg. No. 33,252

Pursuant to 37 C.F.R. 1.10, I hereby certify that this paper or fee is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Commissioner of Patents, Washington, D.C. 20231, on this 9th day of March, 2001.

Signed: _____

Patrick N. Burkhart
Registration No. 33,252



To: Commissioner of Patents
Washington, D.C.

Inventor: Otto et al.

20231

For: "Walking Beam
Roller Apparatus"

SIR:

Atty. Docket: P9903

Please acknowledge receipt of the following by stamping the date of receipt on this card and mailing it.

- 1) a filing fee check for \$380.00;
- 2) a cover letter
- 3) a certificate of mailing by express mail;
- 4) Thirteen (13) pages of specification;
- 5) Three (3) sheets for informal drawings, FIGS 1-5;
- 6) a declaration and power of attorney; and
- 7) a declaration claiming small entity status.

jc640 U.S. PTO

09/287968



04/07/99

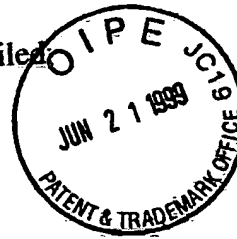
To: Commissioner of Patents
Washington, D.C.
20231

Inventor: Otto et al.
For: "Walking Beam..."
Ser No. 09292,041

SIR:

Please acknowledge receipt of the following by stamping the date of receipt on this card and mailing it.

- 1) A response to the NOTICE TO FILE MISSING PARTS;
- 2) A copy of the declaration as filed;
- 3) A copy of the small entity declaration as filed;
- 4) A copy of the return postcard.





UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
--------------------	---------------------	-----------------------	---------------------------

09/287,968 04/07/99 QTTD

A P9903

0262/0423

BURKHART & BURKHART
PATENT ATTORNEYS
940 DAKOTA AVENUE
WHITEFISH MO 59937

NOT ASSIGNED

DATE MAILED: 3671

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

04/23/99

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☒ small entity (statement filed) ☐ non-small entity is \$ 370.

☐ 1. The statutory basic filing fee is:

☐ missing.

☒ insufficient.

Applicant must submit \$ 380 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. Additional claim fees of \$ _____, including any multiple dependent claim fees, are required.

\$ _____ for _____ independent claims over 3.

\$ _____ for _____ dependent claims over 20.

\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

☒ is missing or unexecuted.

☐ does not cover the newly submitted items.

☐ does not identify the application to which it applies.

☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

☐ 9. OTHER: _____

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

1 A copy of this notice **MUST** be returned with the reply.

BURKHART & BURKHART

Anne K. Burkhardt
Patrick N. Burkhardt
P.O. Box 1823
Whitefish, Montana 59937
Tel. (406) 862-1187



**IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE**

APPLICANT : OTTO ET AL

SERIAL NO. : 09/292,041

CLASS: NOT YET ASSIGNED

DATE FILED : 4/15/99

INVENTION : "WALKING BEAM ROLLER APPARATUS"

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS

In response to the Notice to File Missing Parts of the Application mailed 12 MAY 1999,
Applicant transmits the following herewith:

1. A copy of the declaration as filed;
2. a copy of the declaration claiming small entity status as filed;
3. a copy of the stamped return postcard from the USPTO; and
4. A copy of the NOTICE TO FILE MISSING PART OF APPLICATION.

REMARKS:

Items 1 and 2 listed above were transmitted and received by the USPTO, as indicated
on Item 3. Withdrawal of the requirements set forth in the NOTICE TO FILE MISSING
PART OF APPLICATION is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "Patrick Burkhardt", written over a horizontal line.

Patrick Burkhardt
Reg. No. 33,252

Pursuant to 37 C.F.R. 1.10, I hereby certify that this paper or fee is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Commissioner of Patents, Washington, D.C. 20231, on this 15th day of June, 1999.

Signed: 

Patrick N. Burkhart
Registration No. 33,352